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Central Facsimile**FROM:** Edward A. Kmett (Reg. No.: 42,746)**RE:** U.S. Application No. 09/840,103
Attn: Examiner V. Srivastava
Group Art Unit 2617
Atty. Docket No. 03500.015321**FAX NO.:** (703) 872-9306**DATE:** July 14, 2005**NO. OF PAGES:** 3
(including cover page)**TIME:** 3:08 pm**SENT BY:** **MESSAGE**

Transmitted herewith is a Response To Restriction Requirement in response to the Office Action dated June 16, 2005.

I hereby certify that this correspondence is being facsimile transmitted to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

July 14, 2005

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Edward A. Kmett (Reg. No. 42,746)

(Name of Attorney for Applicant)



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03500.015321.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KATSUHISA OGAWA, et al.

Application No.: 09/840,103

Filed: April 24, 2001

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Examiner: V. Srivastava

Group Art Unit: 2617

July 14, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450RESPONSE TO RESTRICTION REQUIREMENT

Sir:

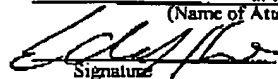
In response to the Restriction Requirement dated June 16, 2005, Applicants hereby provisionally elect to prosecute the Group I claims, namely Claims 1 to 10 and 25 to 32. The Restriction Requirement is, however, traversed.

Traversal is on the ground that there would not be undue burden in examining all three groups of claims in a single application. In particular, MPEP § 808 makes it clear that in order to require restriction between independent or distinct inventions, reasons for insisting upon the restriction, such as undue burden, must also be shown.

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Edward A. Kmet (Reg. No.: 42,746)
(Name of Attorney for Applicant)

 July 14, 2005
Signature Date of Signature

In this regard, the Office Action admits that the allegedly distinct inventions are related and are disclosed as usable together. Thus, it is believed that a search of art relevant to one group would necessarily encompass the others. Therefore, it is not believed that examining all three groups in the same application would present an undue burden on the Examiner. Accordingly, reconsideration and withdrawal of the restriction requirement are respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicants
Edward A. Kmett
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